

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

BRUCE RUSH, as a participant in and on behalf of the Segerdahl Corporation employee stock ownership plan, and on behalf of a class of all others who are similarly situated,

Plaintiff,

v.

GREATBANC TRUST COMPANY;
MARY LEE SCHNEIDER; RICHARD
JOUTRAS; RODNEY GOLDSTEIN;
PETER MASON; ROBERT CRONIN;
JOHN DOE DEFENDANTS 1-10; and
SEGERDAHL CORP. (d/b/a SG360),

Defendants.

Case No.: 1:19-cv-00738

Judge Andrea R. Wood
Magistrate Judge Susan E. Cox

**DEFENDANTS' MOTION FOR LEAVE TO FILE
A SUPPLEMENT TO DEFENDANT'S WITNESS LIST**

Defendants hereby respectfully move the Court for entry of an Order granting Defendants leave to file the attached Supplement to Defendant's Witness List. Plaintiff's takes no position on Defendants' proposed supplement. In support of this motion, Defendants' state as follows:

1. Defendants listed an affidavit from Brian Crumbaugh on their exhibit list.
2. Plaintiff objected to the introduction of this affidavit at trial, and at the final pretrial conference in this matter the Court held that Mr. Crumbaugh's live testimony was needed in lieu of his affidavit. Pretrial Conference Transcript at pp. 49-50 and 71.
3. Defendants raised the potential that they would add Mr. Crumbaugh to their witness list and Plaintiff did not object. Dkt. 338 at pp. 9-10.
4. Defendants' have identified Brian Crumbaugh of Wynnchurch Capital, LLC as a witness with general knowledge concerning allegations in this case.

5. Defendants' wish to call him as a witness for trial.
6. Defendants served a subpoena on Mr. Crumbaugh on January 9, 2023 and are waiting for his counsel to advise them on his availability for trial. Plaintiff's counsel was copied on this communication.
7. Defendants anticipate spending one hour questioning Mr. Crumbaugh at trial.

WHEREFORE, Defendants respectfully request that this Court enter an Order granting Defendants leave to file the attached Supplement to Defendants' Witness List.

Dated: January 10, 2023.

/s/ Robert W. Rachal

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**COUNSEL FOR DEFENDANTS GREATBANC
TRUST COMPANY, MARY LEE
SCHNEIDER, RICHARD JOUTRAS AND
SEGERDAHL CORP D/B/A
SG360°**

CERTIFICATE OF SERVICE

I, Robert W. Rachal, certify that on January 10, 2023, I caused this pleading to be filed with the Court by electronic filing protocols, and that same will therefore be electronically served upon all attorneys of record registered with the Court's ECF/CM system.

/s/ Robert W. Rachal